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EXAMINER

HILLERY, NATHAN

ART UNIT PAPER NUMBER

2176

DATE MAILED: 12/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/663,571	Applicant(s) ZLATANOV ET AL.	
	Examiner Nathan Hillery	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Amendment filed on 9/8/06.
2. Claims 14 – 23 are pending in the case. Claim 14 is independent.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 14 – 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. The term "spatially" in claim 14 is a relative term which renders the claim indefinite. The term "spatially" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Consequently, the metes and bounds of how the hierarchy of splits is encompassed within each other and within the display are unclear.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 14, and 16 – 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Gershoff et al. (US 20020120596 A1).

8. **Regarding independent claim 14**, Gershoff et al. teach that In FIG. 2, the layout for the manual table is provided with four columns, which includes an auto-number id field to establish an absolute identity, a name column for a descriptive text string, a field to date-time stamp the row creation, and an id of the root procedure, which is the initial procedure of the manual (even a parent manual has an id of the root procedure). The id of the root procedure is the starting point for the manual (paragraph block 0054), which is equivalent to the claimed **a layout table that includes a row for storing an identity of said layout and an identity of the top split in said hierarchy of splits**.

It should be noted that the manual table of Gershoff et al. is equivalent to the claimed **layout table**; id field to the claimed **identity of said layout**; the id of the root procedure to the claimed **identity of the top split**.

Gershoff et al. teach that a similar concept to inheritance is the notion of nested procedures. Each manual is comprised of a set of order procedures. Each procedure may have any number of nested procedures (child procedures). When a blank manual is created, a new procedure is also created and its id for the procedure is placed into the manual table in the id of the root procedure field. All new procedures that are added to the manual are a child of the root procedure. Unlike manual inheritance, there is no table that explicated defines this relationship. Instead, a new procedure is a piece of content of the parent procedure. The id of the content field maps to a record in the content table (FIG. 9) that indicates the type of content it is, in this case it is a

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procedure. This tells the system to look into the ContProc table (FIG. 4) and find the id of the procedure field that is associated with the current id of the content value (paragraph block 0073), which is equivalent to the claimed **a layoutdata table that includes a row for each split in said hierarchy of splits, wherein each respective split stored in said layoutdata table comprises: (i) a parent field that specifies the parent split of the respective split; and (ii) a type field that specifies whether the respective split is a data split and, when the respective split is not a data split, defines an orientation of the respective split spatially within the parent split of the respective split.**

It should be noted that the content table of Gershoff et al. is equivalent to the claimed **layoutdata table**; the content to the claimed **split**; the id of the content field, which is associated with the id of the procedure field, to the claimed **parent field**; the type of the content field to the claimed **type field**; the procedure to the claimed **not data split**.

Gershoff et al. further teaches that FIG. 11 illustrates the layout of the ContText table wherein id of the text is an auto-number ID field to establish an absolute identity for each row, id of the content relates to the id of the content field of FIG. 9. FIG. 12 illustrates the layout of the ContImages table wherein id of an image is an auto-number ID field to establish an absolute identity for each row, id of the content relates to the id of the content field of FIG. 9 (paragraph blocks 0064 & 0065).

It should be noted that the text, image, etc of Gershoff et al. is equivalent to the claimed **data split**.

Gershoff et al. teach that FIG. 16 illustrates the GUI display of the content of FIG. 15. The view of FIG. 16 comprises substantially three windows, a top banner, a left table of contents, and a right content display. The top banner in this case displays the trade names of the illustrative embodiment. The left table of contents displays the various sections to the "Laundry Elite Model 2000" manual. The various sections correspond to listings of the top windowpane view in FIG. 15. The right content display of FIG. 16 shows the procedures, text and images associated with the appropriate subject of the manual (paragraph block 0068), which meet the limitation of **wherein each split in said hierarchy of splits is spatially encompassed within a display defined by said parent split and a display module that displays a translation of the hierarchy of splits.**

9. **Regarding dependent claims 16 and 17,** Gershoff et al. teach that FIG. 9 shows the layout of the Content table wherein id of the content is an auto-number ID field to establish an absolute identity for each row, type of the content provides a numerical field, id of data is the value of the primary key in the associated content type tables (CONTEXT, CONTIMAGE, etc.). The system looks at the type of the content field to determine which data table to use. The data id can then be used to match the content to the data. When a piece of content gets edited or deleted a new row in the content table is created. The id of the edit in the new row contains the id of the content of the edited content. Then the id of the content field in the ProcContent table is updated with the new id of the content. ID of the edit incrementally increases in numeric

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value so that changes to content may be rolled back, and attribute as XML holds various display characteristics of the content in XML (paragraph blocks 0061 & 0062), which is equivalent to the claimed **a views table for storing a different view for each data split in said split hierarchy, wherein each said different view references an object; an objects table for storing each said referenced object; and an object in said objects table is a text object, a blog object, or a gallery object.**

It should be noted that the content table of Gershoff et al. is equivalent to the claimed **views table**; the image or text to the claimed **object**; the ContText table to the claimed **objects table**, thus the text represented in the ContText table is equivalent to the claimed **object is a text object**.

10. **Regarding dependent claims 18 and 19**, Gershoff et al. teach that FIG. 9 shows the layout of the Content table wherein id of content is an auto-number ID field to establish an absolute identity for each row, type of content provides a numerical field, id of data is the value of the primary key in the associated content type tables (CONTEXT, CONTIMAGE, etc.). The system looks at the type of content field to determine which data table to use. The data id can then be used to match the content to the data. When a piece of content gets edited or deleted a new row in the content table is created. The id of edit in the new row contains the id of content of the edited content. Then the id of content field in the [ProcContent] table is updated with the new id of content. ID of edit incrementally increases in numeric value so that changes to content may be rolled back, and attribute as XML holds various display characteristics

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of the content in XML (paragraph blocks 0061 & 0062), which is equivalent to the claimed **the object is a blog object** and **the object is a gallery object**.

Within the broadest, reasonable interpretation, it should be noted that the ContText table is equivalent to the claimed **objects table, wherein the object is a blog object**; and that the ContImage table is equivalent to the claimed **objects table, wherein the object is a gallery object** (of images).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gershoff et al. (US 20020120596 A1) as applied to claim 14 above, and further in view of Dees (US 20030137539 A1).

13. **Regarding dependent claim 15**, Gershoff et al. do not explicitly teach that **the orientation is horizontal or vertical**.

Gershoff et al. do teach that XML attributes hold various display characteristics of the content in XML (Fig 9 & paragraph block 0062).

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Dees teach that the portrait and landscape tags can define the style attributes of layout and orientation of elements (p 7, table) and that the orientation in which elements can be drawn are either horizontal or vertical (p 8, first table).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the invention of Gershoff et al. with that of Dees because such a combination would provide the users of Gershoff et al. with the benefit of a method which allows for more effective processing of style information (p 1, paragraph block 0010).

14. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gershoff et al. (20020120596) as applied to claim 14 above, and further in view of Marca (US 5050074 A).

15. **Regarding dependent claim 20**, Gershoff et al. do not explicitly teach that **the database further comprising an actions table for storing each operation on said layout that is performed by a user.**

Marca teaches that the processing module retrieves the identified object from the object database and determines its state. Using the identified state, the processing module then, using the state/action table, identifies the actions that can be performed in connection with the object. The processing module identifies the actions associated with the flags that are set in the action flag fields in the entry associated with the state identified by the contents of the state field. If the storage module contains a plurality of state/action tables each associated with one or more selected objects, the processing

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module will use the state/action table associated with the object in this operation (Column 7, lines 30 – 50), which is equivalent to the claimed **the database further comprising an actions table for storing each operation on said layout that is performed by a user.**

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Gershoff et al. with that of Marca because such a combination would provide the users of Gershoff et al. with *a new and improved system, used in conjunction with a computer, for coordinating activities by a plurality of actors within a common operation having multiple constituents* (Column 1, lines 45 – 48).

16. Claim 21 – 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gershoff et al. (US 20020120596 A1) as applied to claim 14 above, and further in view of Hawkins (US 20010032254 A1).

17. **Regarding dependent claim 21, Gershoff et al. do not explicitly teach the display module displays the translation of the hierarchy of splits as a web page using a target language.**

Hawkins teaches that the example query form 105 and the example query response 107 can be stored in a CML format. The markup language is compressed relative to HTML. This compressed markup language is described in greater detail below. What is important is that the compressed markup language is a subset and superset of HTML (paragraph block 0082), which meet the limitations of **the display**

module displays the translation of the hierarchy of splits as a web page using a target language.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the invention of Gershoff et al. with that of Hawkins because such a combination would provide the users of Gershoff et al. with the benefit of a device for providing wireless Internet access (paragraph block 0020).

18. Regarding dependent claim 22, Gershoff et al. do not explicitly teach the target language is HTML, XML, or text.

Hawkins teaches that the example query form 105 and the example query response 107 can be stored in a CML format. The markup language is compressed relative to HTML. This compressed markup language is described in greater detail below. What is important is that the compressed markup language is a subset and superset of HTML (paragraph block 0082), which meet the limitations of **the target language is HTML, XML, or text.**

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the invention of Gershoff et al. with that of Hawkins because such a combination would provide the users of Gershoff et al. with the benefit of a device for providing wireless Internet access (paragraph block 0020).

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19. **Regarding dependent claim 23**, Gershoff et al. do not explicitly teach **the display module caches the translation of the hierarchy of splits as a static document**.

Hawkins teaches that the proxy server 180 can cache CML web pages for use by multiple wireless communications devices 100 (paragraph block 0086), which meet the limitation of **the display module caches the translation of the hierarchy of splits as a static document**.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the invention of Gershoff et al. with that of Hawkins because such a combination would provide the users of Gershoff et al. with the benefit of a device for providing wireless Internet access (paragraph block 0020).

Response to Arguments

20. Applicant's arguments filed 9/8/06 have been fully considered but they are not persuasive.

21. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., no column in the layoutdata table dictates the absolute position of a split in a given display) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

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22. Applicant argues that Gershoff et al. do not teach **wherein each split in said hierarchy of splits is spatially encompassed within a display defined by said parent split** because no column in layoutdata table 84 dictates the absolute position of a split in a given display because such positions are spatially within a parent split and are relative to other daughter splits within the parent split; whereas, the Zones table of Gershoff does provide hard coded positions for data objects (p 10, lines 3 – 7).

The Office disagrees.

It should be noted that Gershoff et al. teach that the view of FIG. 16 comprises substantially three windows, a top banner, a left table of contents, and a right content display. The top banner in this case displays the trade names of the illustrative embodiment. The left table of contents displays the various sections to the "Laundry Elite Model 2000" manual. The various sections correspond to listings of the top windowpane view in FIG. 15. The right content display of FIG. 16 shows the procedures, text and images associated with the appropriate subject of the manual (paragraph block 0068), which meet the limitation of **wherein each split in said hierarchy of splits is spatially encompassed within a display defined by said parent split**.

Conclusion

23. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Hillery whose telephone number is (571) 272-4091. The examiner can normally be reached on M - F, 10:30 a.m. - 7:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NH


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